S.B.CRIMINAL MISC. PETITION NO.408/2007
(Satnam Singh Vs. State of Raj.)

Date of order : : 10.05.2007

HON'BLE MR. KRISHAN KUMAR ACHARYA, J.

Mr.R.Bhatnagar, for the petitioner.
Mr.Ashok Upadhyay, PP for the State.

Heard learned counsel for the parties.

Learned counsel for the petitioner states that petitioner was released on probation vide order dated 17.6.2006 passed by learned Additional Sessions Judge, Anoopgarh and was also directed to submit bail bonds and sureties within a period of one month but petitioner could not furnish requisite bail bonds and sureties as he had gone out of station to earn his livelihood. Learned Judicial Magistrate, vide its order dated 4.12.2006, has issued arrest warrant against the petitioner. Learned counsel prays that order of learned Magistrate dated 4.12.2006 may be quashed and petitioner may be granted one month time to comply with the directions of the Additional Sessions Judge, Anoopgarh.

I have considered the submission advanced by

learned counsel for the petitioner and also gone through the order of learned Magistrate as well as Additional Sessions Judge. The petitioner has already filed an application before the learned Additional Sessions Judge, Anoopgarh for extension of time for submitting the requisite bail bonds and sureties but since the post of Presiding Officer is lying vacant, therefore, no order could be passed on the said application and it is still pending. Looking to all the facts and circumstances of the case, learned Sessions Judge, Ganganagar is directed to see, if the post of Presiding Officer is lying vacant and any application is pending, he may pass appropriate order regarding disposal of such application by transferring the same to another competent court or decide such application himself. In the circumstances, since the application filed by the petitioner for extension of time for submitting the requisite bail bonds and sureties is still pending, therefore, the petitioner may move before the Sessions Judge, Ganganagar first in this regard.

With these observations/directions, this misc. petition is disposed of.

(KRISHAN KUMAR ACHARYA), J.

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